

Chapter 9:

Achieving Our Vision

Our Goals:

- All entities responsible for natural resources and environmental protection within the watershed are working together in a collaborative manner to protect and enhance the watershed.
- Inform the public about environmental issues and engage them in lake restoration and protection activities.

A wide array of federal, state, provincial and local programs are in place to manage the Lake St. Clair watershed. While much has been accomplished over the past decade to address problems affecting the lake, progress has yet to be fully realized in important areas. Indeed, a major reason for the call for a comprehensive management plan was to provide a mechanism to focus and coordinate the diversity of entities with responsibility for some management component of the St. Clair River and Lake St. Clair watershed. With completion of the plan, the challenge becomes coordinating this multiplicity of responsible entities, securing implementation commitments and resources, monitoring progress and assessing outcomes.

This chapter discusses the challenge of implementing the management plan, outlines the management framework developed by the Four Agencies responsible for restoration of the Lake St. Clair, suggests steps for refining and “operationalizing” the management plan recommendations, and provides recommendations for initiating the implementation process.

The discussion and recommendations below focus on the U.S. portion of the Lake St. Clair watershed. Implementation issues will be different in Canada and will be addressed by Canadian authorities as they develop a management plan for their portion of the Lake St. Clair watershed.

Shared Responsibilities and Multi-Level Implementation

In the United States, the institutional framework for managing water quality is complex. Managing and protecting Lake St. Clair is a shared endeavor among federal, state and local agencies. The federal structure of the U.S. political system divides authority for government functions between federal and state governments. Environmental and resource management responsibilities – whether they involve regulations, enforcement, inspections, cleanup, monitoring, or public assistance – are mandated by governments in various ways, such as codification of federal, state and local statutes, executive orders, or development of special agreements. These mandates are, in turn, implemented at multiple levels by a variety of government agencies. In some cases, authority for administering federal environmental laws is delegated to state agencies. In Michigan, for example, MDEQ is responsible for administering provisions of the federal Clean Water Act relating to discharge of industrial and municipal wastewater. In addition, agency responsibilities are also administered in grant programs that encourage practices,

Key Topics

- 1) The challenge of implementation
- 2) Shared responsibilities; multi-level implementation
- 3) A framework for managing Lake St. Clair
- 4) Putting implementation into action
- 5) U.S. Recommendations

For more information...

Chapter one provides a detailed review of federal and state environmental and resource management laws and agencies.

activities, research, implementation, outreach, education, etc. that will assist in achieving water quality goals as well as mandates delegated to the local or state level.

To further illustrate this point, Table 9-1 shows where primary implementation responsibility rests for major environmental activities that affect Lake St. Clair. The table is not exhaustive, but merely emphasizes how management responsibilities for Lake St. Clair are shared among different levels of government.

Table 9-1: Primary implementation responsibilities for environmental activities

Environmental Activity	Primary Implementation Responsibility		
	<i>Federal Government</i>	<i>State Government</i>	<i>Local Government</i>
Environmental permitting and enforcement	Y	Y	
Wastewater treatment enforcement		Y	
Water quality monitoring		Y	Y
Onsite sewage disposal system monitoring			Y
Storm water management			Y
Nonpoint source pollution control			Y
Soil erosion and sediment control		Y	Y
Contaminated sediment remediation	Y	Y	
Drinking water protection		Y	
Spill reporting and response	Y	Y	
Beach monitoring			Y
Navigational dredging	Y		
Wetlands regulation	Y	Y	
Endangered species protection	Y		
Habitat and wildlife management	Y	Y	
Fishery management		Y	
Fish consumption guidelines and advisories		Y	
Invasive species prevention and control	Y	Y	
Land use planning and development			Y
Water/wastewater infrastructure			Y
Recreational boating regulation	Y	Y	
Commercial navigation management	Y		

With shared responsibility comes dispersed, multi-level implementation of environmental protection programs. Many agencies at different governmental levels, and many programs within agencies, have some responsibility related to water quality. In this regard no single agency has sole power and authority to manage the lake, or for that matter, to implement, in total, the management plan recommendations.

In addition to administering focused regulation, enforcement and encouragement programs, it has long been recognized that collaborating on a watershed wide basis is necessary for effective management of environmental problems. For example, Remedial Action Plans for Great Lakes Areas of Concern have taken a watershed approach that encompasses implementation by a wide variety of agencies, ranging from local wastewater treatment facilities to the federal Superfund program. More recently, municipalities have come together on a watershed basis in response to requirements under the Phase II stormwater regulations. While these two examples are quite different,

they are similar in that responsibilities for watershed stewardship are ultimately shared among various levels of government, as well as with nongovernmental stakeholders.

Efforts to coordinate shared responsibilities for Lake St. Clair, and to collaborate on a watershed basis, are underway at the local, regional and binational levels. Collectively, these efforts respond to a common need for a cohesive, multi-jurisdictional, and watershed-based management framework for Lake St. Clair. However, these efforts had developed independently and communication between these levels has been inconsistent.

Therefore, successful management of the lake calls for groups, including governmental agencies, organizations, academia and other stakeholders, involved in developing the plan and those with management responsibilities or an interest in the Lake St. Clair watershed to continue management and related efforts within the context of their authorities, programs and budgetary priorities. However, these organizations must also recognize and communicate the potential contribution of various individual and focused efforts to a cohesive management framework for Lake St. Clair, as provided by the management plan. In this regard, such groups must put forth a commitment to better collaborate and coordinate efforts consistent with the plan as well as relative to local, state, national and Binational priorities and goals.

The recommendations presented in this plan reinforce the concept that certain activities are best handled at the local level (e.g., land-use planning, public information, prioritization of local efforts). Others are best addressed at the state level while some are clearly the purview of the federal government. The plan can only be successful if all three levels of government are fully engaged.

Cooperation and Multi-Level Implementation

The current authorization for the management plan does not provide direct funding or agency authority for implementing recommendations. However, there are a multitude of Federal programs (majority grant funding) available to implement recommendations. Appendix B of this report contains a Guide to Assistance for U.S. Recommendation Implementation. This Guide to Assistance for U. S. Implementation is provided to inform stakeholders of existing resources, talent, and authorities available from various federal agencies for implementation of the recommendations in the Management Plan. It also provides information on eligible applicants.

Access to the existing Federal programs/funding requires competition for national/regional funds that are based on environmental issues vs. geography. In the case of the management plan, the recommendations are diverse and may require funding from multiple Federal sources to implement in total. There is no single lead to coordinate the piecemeal implementation because the funding is administered by several agencies and different programs within the agencies, with no single agency having jurisdiction over the other relative to funding decisions. To successfully implement then, many of the management plan recommendations will require a coordinated effort among relevant agencies and interested parties to refine the recommendations and define components to determine an implementation strategy using the available programs.

Given this perspective, the Federal government may be best positioned to take primary responsibility for Lake St. Clair watershed management issues that affect the national and binational scale, as well as supporting research, providing technical assistance and

financial support to state and local entities, encouraging state and local initiatives, and representing national and binational interests in watershed discussions.

The State government may be better positioned to facilitate coordination, research, and technical assistance; to ensure the application of standards and water use regulations; to conduct evaluations of projects, and to provide financial support to local governments either through the dispersal of state funds or funds dispensed to states through federal programs.

Finally, local organizations are best positioned to take primary responsibility for planning and implementing individual projects, and in particular, facilitating citizen and stakeholder involvement.

However, absent authority, funding and directed leadership for implementation, the task of coordinating the wide array of entities responsible for Lake St. Clair, securing implementation commitments and resources, monitoring progress and assessing outcomes, all within the context of achieving local, state, federal, and binational management goals falls to existing groups and management structures.

Fortunately, efforts to coordinate shared responsibilities for Lake St. Clair are already underway at the local, regional and binational levels and important organizational infrastructure is in place at the local level in the United States to facilitate a cooperative and collaborative approach.

Each of the counties in the U.S. Lake St. Clair watershed has established a water quality board or related environmental steering committee. These citizen-led boards were authorized by their respective County Boards of Commissioners to provide input on county water quality programs, collect and respond to citizen concerns, and advocate for water quality improvements. With their grassroots orientation, these groups provide an important, locally driven mechanism for reaching consensus on management priorities and for advocating for the resources necessary to implement them. These groups understand priorities as they are viewed at the grassroots level and have agreed to continue their cooperative efforts to provide local leadership in coordinating and collaborating on the implementation of local priorities relative to management of the lake.

At the regional level, representatives from Macomb and St. Clair counties formed the Macomb-St. Clair Inter-county Watershed Management Advisory Group in 2000, to collaborate on issues of common interest. The group has not been delegated any formal authority by either county's Board of Commissioners, but operates on a consensus basis with an emphasis on sharing information with local decision makers. Some of the group's specific initiatives include support for development of a watershed management plan for the Anchor Bay portion of Lake St. Clair and development of a monitoring inventory and strategic plan for the U.S. portion of Lake St. Clair.

At the state, national and binational level, management for Lake St. Clair relative to the Great Lakes Water Quality Agreement is coordinated under the Four Agency Letter of Commitment, a 1998 agreement on roles and responsibilities for implementing the binational Areas of Concern. In 2000, the parties to this agreement – U.S. Environmental Protection Agency, Environment Canada, Michigan Department of Environmental Quality (MDEQ), and the Ontario Ministry of the Environment– approved a resolution that formally incorporated Lake St. Clair under the Four Agency process. At that time, the Four Agencies also began work on the development of a management framework that would address Lake St. Clair's unique needs.

In a related development, the *Great Lakes Strategy 2002*, prepared by the United States Policy Committee (a forum of senior managers from U.S. federal, state and tribal agencies responsible for managing the Great Lakes), identified Lake St. Clair as a “special focus area” and called for a “locally-driven, binational program to coordinate management” of the lake as well as a “larger advisory forum from the binational community.” within the context of the Four Agency Letter of Commitment.

With support from U.S. EPA, the Great Lakes Commission developed recommendations for a binational management framework for Lake St. Clair for the Four Agencies. The recommendation development process included public input and comment. Recently, the Four Agencies finalized and adopted a management framework designed to:

- establish a recognizable organizational body for the lake;
- receive input from the public and other parties;
- provide a venue that allows for collaboration among decision makers to focus efforts and resources efficiently and effectively; and
- provide a forum for greater representation of Lake St. Clair in larger regional priorities.

The framework builds on the existing structure under the Four Agency Letter of Commitment. The elements of the framework reflect substantial discussions with local stakeholders and governments. The key elements of the framework are:

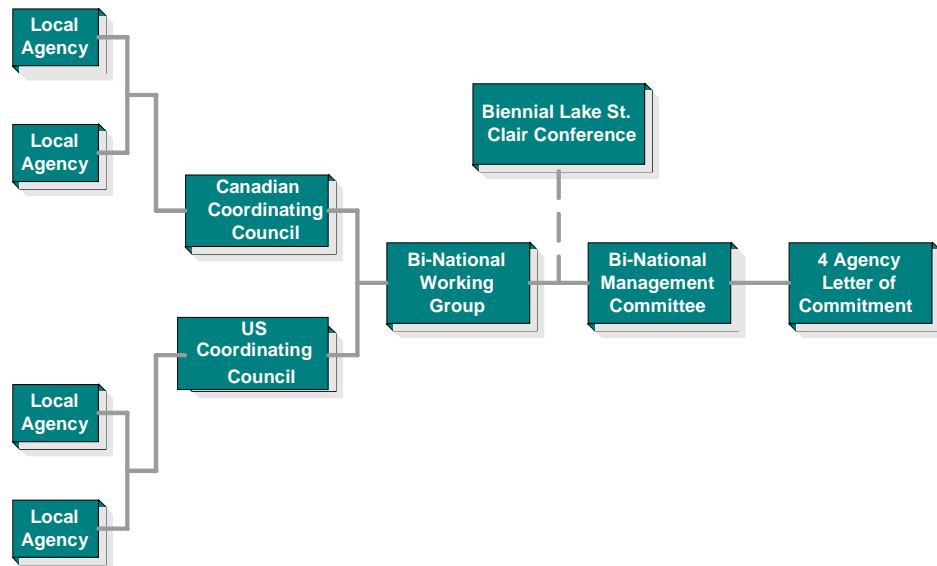
- **Separate U.S. and Canadian Coordinating Councils:** The watershed coordinating councils will provide a forum for communication and collaboration among agencies and organizations responsible for managing their portion of the Lake St. Clair watershed.
- **A binational partnership agreement:** The Four Agency Letter of Commitment is a partnership agreement between the primary U.S. and Canadian federal and state/provincial agencies with management responsibilities for Lake St. Clair.
- **A binational management committee:** Senior managers from the Four Agencies will make up the management committee.
- **A binational working group:** Staff from the Four Agencies will serve as a working group and will support the management committee.
- **A biennial State of Lake St. Clair conference:** The conference will provide a forum for disseminating information on the state of Lake St. Clair and an opportunity for the public to comment on programs, policies and management activities.

The development and approval process for the management framework ran parallel with the development of the management plan. The framework recognizes that management responsibilities are fragmented, jurisdictional, and rest with many entities. Further, it recognizes that the implementation of watershed-based management efforts requires collaboration, coordination and communication; and should build on existing management efforts while ensuring leadership at the national and international level. In this regard, the framework provides an important foundation for management of the lake and implementation of the management plan. Through the framework’s recommendation for a new U.S. Coordinating Council, it lays the groundwork for a communication structure that provides a forum for focusing advocacy and priorities within the bigger watershed picture. As proposed by the Four Agencies, the purpose of the Coordinating Councils will be to:

- build upon the activities of groups currently operating at the local level;
- provide a mechanism for ongoing coordination of management activities;
- build synergy and garner support for ongoing projects and new ideas;
- promote project coordination, share information and seek funding for Lake St. Clair efforts; and
- provide a link for interaction between local organizations and U.S. and Canadian federal and state/provincial programs and policies.

Figure 9-1 illustrates the components of the management framework and connections.

Figure 9-1: Structure for Lake St. Clair Management Framework



Putting Implementation into Action

The management plan proposes a full suite of recommendations for restoring, protecting and managing the U.S. Lake St. Clair watershed. Not all recommendations can be immediately implemented, however, and many will require further refinement among relevant agencies and interested parties. Additionally, the recommendations may not merit equal attention. The Project Management Team did not recommend that the plan prioritize the recommendations and the document does not suggest any particular order in which to address them.

On the U.S. side of the watershed, an important first step toward focused management of the lake will be through the establishment of the U.S. Coordinating Council that operates under the Four Agency Framework for Management of Lake St. Clair. To this end, the U.S. EPA and MDEQ have asked the Macomb-St. Clair Inter-county Watershed Management Advisory Group to consider serving as the nucleus of the U.S. Coordinating Council. The group is considering the request.

Following establishment, a critical step toward operationalizing the management plan recommendations will be for the U.S. Coordinating Council, in conjunction with representation from other agencies and organizations responsible for management, to prioritize recommendations based on environmental/public health concerns, agency and local priorities, available resources and the ability to implement particular recommendations at a given time. Prioritization would be an important step in linking local, state, and federal priorities; promoting collaboration relative to efforts and funding; coordinating new and ongoing activities, focusing advocacy for management issues and projects; and promoting consistency of effort and a watershed approach relative to the management plan and the management framework.

The next step will be to make the recommendations “operational” by identifying specific objectives for the recommendations, the appropriate implementers, costs, funding sources, schedules, and work tasks. In some cases, existing initiatives and programs can provide a platform for refining and implementing selected recommendations. As part of this process, agencies must assess their authority, capabilities, and capacities in relation to the recommendations or portions of the recommendations. The U.S. members of the Four Agencies have agreed to consider for adoption, those elements of the management plan most relevant to their mission and work within available agency resources and programs, and in cooperation and consultation with their Canadian partners, to achieve the vision of a healthy St. Clair River and Lake St. Clair. In addition, the USACE will respond to requests for assistance that fall within its authorities and mission areas.

Finally, the need for a stronger mechanism for overseeing implementation of the management plan is recognized. However, absent authorization, leadership and funding for a formal structure to organize, focus and facilitate implementation activities, the framework and Coordinating Council will provide a means to maintain the current momentum and multi-level interest in implementing management activities to restore the river and lake.

Management plan implementation and oversight, including the coordination of efforts relative to local, state, national and binational goals, could be simplified with the authorization of a directed program, funding, and leadership aimed at the St. Clair River and Lake St. Clair watershed. To be effective, the authorization should include the establishment and facilitation of a formal partnership, comprised of existing relevant local, state and federal agencies, that works together in an ad hoc arrangement to facilitate watershed wide collaboration across disciplines and jurisdictional boundaries, and integrate efforts aimed at achieving local, state, national and binational goals.

Achieving Our Vision

Candidate Management Plan Recommendations for Actions in the U.S. Watershed:

- 9-1. Establish a Lake St. Clair Partnership and adopt a unified and comprehensive management structure to allow watershed-wide coordination across disciplines and to coordinate, assess, and oversee implementation efforts at all levels of government.
- 9-2. Establish a U.S. Lake St. Clair Coordinating Council with representation from federal, state, and local agencies with management responsibilities for the Lake St. Clair watershed to coordinate local projects, promote implementation of the management plan, facilitate communication among stakeholders, monitor progress, and advocate for funding for management plan activities
- 9-3. Conduct a biennial technical and community conference within the watershed to disseminate information to the stakeholders regarding findings, conclusions, and recommendations of any completed studies or projects, and current and future implementation activities

- 9-4. Implement a comprehensive information-education program targeted at key target audiences to educate them about Lake St. Clair, environmental impacts to the lake, and what can be done to protect and restore the lake
- 9-5. Develop a central clearinghouse and watershed website to maintain an up-to-date listing of all program activities, studies, and organizations within the watershed. All organizations conducting activities in the watershed would be responsible for advising the clearinghouse of their activities